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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

November 24, 2008

Mr. Matthew W. Friedrich  
Acting Assistant Attorney General  
United States Department of Justice  
Criminal Division  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Dear Mr. Friedrich:

I write to bring to your attention the recent and troubling news report that employees of Verizon Wireless improperly "accessed and viewed" the personal cell phone records of President-elect Barack Obama. The individuals involved in these apparent data breaches have been terminated, according to press reports. But, sadly, data privacy breaches involving the sensitive phone records of ordinary Americans are occurring with greater frequency. Cell phone records provide a wealth of sensitive personal data that can be of great use to criminals, and the unauthorized disclosure of these records can further acts of domestic violence and compromise the safety of law enforcement officers and their families.

In 2007, Congress enacted the Telephone Records and Privacy Protection Act, P.L. 109-476 -- a bill that I cosponsored in the Senate -- to address the alarming number of breaches involving sensitive phone records. Among other things, this privacy law amended the federal criminal code to expressly prohibit a telecommunications carrier from obtaining confidential phone records by accessing customer accounts through the Internet, or by fraudulent computer-related activities, without prior authorization. Given the growing threat to privacy posed by phone records breaches, please provide information regarding the number of prosecutions and/or investigations that the Department has undertaken to date pursuant to the Telephone Records and Privacy Protection Act. Please also state whether the Department has found this statute effective in protecting Americans' privacy.

Thank you in advance for your attention and prompt response to this matter.

Sincerely,



PATRICK LEAHY  
Chairman